

### **REMARKS**

This is in response to the Office Action mailed on June 14, 2004. No claims are amended, canceled or added herein; as a result, claims 26-78 remain pending in this application.

#### **Information Disclosure Statement**

Applicant is submitting a Supplemental Information Disclosure Statement and a 1449 Form with this Response. Applicant respectfully requests that an initialed copy of the 1449 Form be returned to Applicants' Representatives to indicate that the cited references have been considered by the Examiner.

#### **Objections to the Specification**

The disclosure is objected to because of the patent numbers of issued applications referenced throughout the specification were not provided. Applicant has amended the specification, and respectfully requests withdrawal of this objection.

#### **Double Patenting Rejection**

Claims 26 and 28 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of U.S. Patent No. 6,363,283. A terminal disclaimer is provided herewith to obviate the double patenting rejection.

#### **Allowable Subject Matter**

Applicant acknowledges the allowance of claims 38-78.

Claims 26 and 28 were rejected under the judicially created doctrine of obviousness-type double patenting, but would be allowable upon the timely submission of an acceptable Terminal Disclaimer. Claims 27 and 29-37 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. With the terminal disclaimer submitted herewith, claims 26-37 are believed to be in condition for allowance. Applicant respectfully requests consideration and allowance of the pending claims.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6960 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

MICHAEL J. LYDEN

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 373-6960

Date 9-14-04

By Marvin L. Beekman

Marvin L. Beekman

Reg. No. 38,377

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14 day of September, 2004.

Paula Sucky

Name

Paula Sucky

Signature